

Accordingly, the President announced the appointment of the following conferees on the part of the Senate on the bill: Senators Jones, Chairman; Doggett, Farabee, Traeger, Harris.

MEMORIAL RESOLUTION

H.C.R. 152 - (Brown): Memorial resolution for Herbert Eugene Hopper.

WELCOME AND CONGRATULATORY RESOLUTIONS

H.C.R. 131 - (Caperton): Extending congratulations to the Snook High School basketball team.

H.C.R. 137 - (Truan): Commending Mrs. H. E. Butt.

S.R. 579 - By Doggett: Extending welcome to Reverend I. J. Fontaine.

S.R. 586 - By Wilson: Extending welcome to Dr. Stephen D. Benold, "Capital Physician" for the day.

ADJOURNMENT

On motion of Senator Mauzy the Senate at 12:21 o'clock p.m. adjourned until 10:30 o'clock a.m. tomorrow.

APPENDIX

Sent to Governor
(May 5, 1981)

S.B. 18	S.B. 597
S.B. 52	S.B. 671
S.B. 57	S.B. 716
S.B. 88	S.B. 736
S.B. 164	S.B. 858
S.B. 221	S.B. 869
S.B. 282	S.B. 872
S.B. 316	S.B. 890
S.B. 418	S.B. 892
S.B. 485	S.B. 900
S.B. 487	S.B. 932
S.B. 537	S.B. 1096
S.C.R. 6	S.C.R. 86
S.C.R. 54	S.C.R. 90

SIXTY-FOURTH DAY (Wednesday, May 6, 1981)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Andujar, Blake, Brooks, Brown, Caperton, Doggett, Farabee, Glasgow, Harris, Howard, Jones, Kothmann, Leedom, Mauzy, McKnight, Meier, Mengden, Ogg, Parker, Richards, Santiesteban, Sarpalius, Short, Snelson, Traeger, Travis, Truan, Uribe, Vale, Williams, Wilson.

A quorum was announced present.

The Reverend Dr. Gerald Mann, Senate Chaplain, offered the invocation as follows:

Lord, deliver us politicians and preachers from a world where you can't make it if you don't fake it. Amen.

On motion of Senator Mauzy and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

BILLS AND RESOLUTIONS SIGNED

The President announced the signing in the presence of the Senate, after the caption had been read, the following enrolled bills and resolutions:

S.B. 782
S.B. 488
S.B. 168
H.C.R. 131
H.C.R. 137
H.C.R. 152

REPORTS OF STANDING COMMITTEES

Senator Blake submitted the following report for the Committee on Administration:

S.C.R. 64
S.C.R. 101

Senator Traeger submitted the following report for the Committee on Intergovernmental Relations:

H.B. 2232
H.B. 271
S.B. 1225
S.B. 1216
H.B. 1589
S.B. 1226
S.B. 1030
S.B. 1236 (Amended)
C.S.S.B. 761 (Read first time)

Senator Brooks submitted the following report for the Committee on Human Resources:

H.B. 1107

Senator Snelson submitted the following report for the Committee on Education:

S.B. 333 (Amended)
S.B. 475 (Amended)
H.B. 399 (Amended)
S.B. 521
H.B. 1729
S.B. 1240 (Amended)
H.B. 970

Senator Mauzy submitted the following report for the Committee on Jurisprudence:

H.B. 840 (Amended)
H.B. 685 (Amended)
H.B. 1175
S.B. 161 (Amended)
S.B. 914
S.B. 814
S.B. 774
H.B. 196
H.B. 375
S.B. 669 (Amended)
S.B. 1170
H.B. 730
S.B. 1000
C.S.S.B. 711 (Read first time)
C.S.S.B. 727 (Read first time)
C.S.S.B. 658 (Read first time)
C.S.S.B. 965 (Read first time)

SENATE BILLS AND RESOLUTION ON FIRST READING

On motion of Senator Brooks and by unanimous consent, the following bills and resolution were introduced, read first time and referred to the Committee indicated:

S.B. 1259 by Brown Natural Resources
Relating to creation, administration, powers, duties, operations, and financing of the Clear Creek Watershed Drainage District; providing a penalty.

S.B. 1260 by Santiesteban Intergovernmental Relations
Relating to the creation, jurisdiction, administration, and procedures of the County Court at Law No. 5 of El Paso County; amending ch. 607, Acts of the 65th Legislature, 1977 (Article 1970, Vernon's Texas Civil Statutes) by adding Article 1970-141.4; and declaring an emergency.

S.B. 1261 by Ogg Economic Development
Relating to inclusion of certain motor busses and motor trucks under the state motor-vehicle assigned risk plan.

S.C.R. 103 by Brooks Administration
Directing the State Purchasing and General Services Commission to place additional benches on the Capitol grounds.

HOUSE BILLS AND RESOLUTION ON FIRST READING

The following bills and resolution received from the House were read the first time and referred to the Committee indicated:

H.B. 360, To Committee on Jurisprudence.
H.B. 1349, To Committee on Natural Resources.
H.B. 1367, To Committee on Natural Resources.
H.B. 2199, To Committee on State Affairs.
H.B. 2358, To Committee on State Affairs.
H.B. 1436, To Committee on Natural Resources.
H.J.R. 62, To Committee on Human Resources.

SENATE RESOLUTION 495

Senator Leedom offered the following resolution:

S.R. 495, In memory of Rodney Hargrave.

The resolution was read.

On motion of Senator Leedom and by unanimous consent, the resolution was considered immediately and was adopted by a rising vote of the Senate.

CONFERENCE COMMITTEE REPORT SENATE BILL 319

Senator Short submitted the following Conference Committee Report:

Austin, Texas
May 5, 1981

Honorable William P. Hobby
President of the Senate

Honorable Bill Clayton
Speaker of the House of Representatives

Sir:

We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on **S.B. 319** have met and had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

SHORT
TRAEGER
GLASGOW
TRAVIS
SARPALIUS
On the part of the Senate

FLORENCE
GILLEY
LANEY
ROBNETT
On the part of the House

CONFERENCE COMMITTEE REPORT
SENATE BILL 319

A BILL TO BE ENTITLED
AN ACT

relating to the definition of "mobile home" and "modular home"; amending Subsections (a) and (q), Section 3, Texas Manufactured Housing Standards Act, as amended (Article 5221f, Vernon's Texas Civil Statutes).

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 3, Texas Manufactured Housing Standards Act, as amended (Article 5221f, Vernon's Texas Civil Statutes), is amended by amending Subsections (a) and (q) to read as follows:

"(a) 'Mobile home' means a structure, transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width or 40 ~~[and is 32]~~ body feet or more in length, or, when erected on site, is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems contained therein."

"(q) 'Modular home' means a dwelling that is manufactured in two or more modules at a location other than the homesite and which is designed to be used as a residence when the modules are transported to the homesite, and the modules are joined together and installed on a permanent foundation system. The term includes the plumbing, heating, air-conditioning, and electrical systems contained in the structure. It is expressly provided, however, that the term modular home shall not mean nor apply to, and that the following items are expressly excluded from the purview of this Article: (i) sectional or panelized housing in which the basic components assembled at the homesite are not at least three dimensional modules; (ii) a ready-built home which is constructed so that the entire living area is contained in a single unit or section at a temporary location for the purpose of selling it and moving it to another location; and (iii) a home constructed in modules incorporating concrete or masonry as the primary structural component ~~[structure or building module that is manufactured at a location other than the location where it is installed and used as a residence by a consumer, transportable in one or more sections on a temporary chassis or other conveyance device, and designed to be used as a permanent dwelling when installed and placed upon a permanent foundation system. The term includes the plumbing, heating, air conditioning, and electrical systems contained in the structure. The term does not include a mobile home as defined in this Act, nor does it include building modules incorporating concrete or masonry as the primary structural component].~~"

SECTION 2. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

The Conference Committee Report was read and filed with the Secretary of the Senate.

**CONFERENCE COMMITTEE REPORT
SENATE BILL 126**

Senator Kothmann submitted the following Conference Committee Report:

Austin, Texas
May 6, 1981

Honorable William P. Hobby
President of the Senate

Honorable Bill Clayton
Speaker of the House of Representatives

Sir:

We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on S.B. 126 have met and had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

KOTHMANN
MENGDEN
CAPERTON
GLASGOW
On the part of the Senate

SEMOS
McFARLAND
NABERS
JONES
On the part of the House

**CONFERENCE COMMITTEE REPORT
SENATE BILL 126**

**A BILL TO BE ENTITLED
AN ACT**

relating to the penalties for certain offenses committed against children.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 21.03, Penal Code, is amended to read as follows:

(a) A person commits an offense if he commits rape as defined in Section 21.02 of this code or rape of a child as defined in Section 21.09 of this code and:

(1) causes serious bodily injury or attempts to cause death to the victim or another in the course of the same criminal episode;

(2) by acts, words, or deeds placed the victim in fear of death, serious bodily injury, or kidnapping to be imminently inflicted on anyone;

(3) by acts, words, or deeds occurring in the presence of the victim threatens to cause death, serious bodily injury, or kidnapping to be inflicted on anyone; or

(4) uses or exhibits a deadly weapon in the course of the same criminal episode; or

(5) the victim is younger than 14 years.

(b) The defenses enumerated in Section 21.09 (b) and (c) of this code shall not apply to this section.

(c) An offense under this section is a felony of the first degree.

SECTION 2. Section 21.05, Penal Code, is amended to read as follows:

(a) A person commits an offense if he commits sexual abuse as defined in Section 21.04 of this code or sexual abuse of a child as defined in Section 21.10 of this code and:

(1) causes serious bodily injury or attempts to cause death to the victim or another in the course of the same criminal episode;

(2) by acts, words, or deeds places the victim in fear of death, serious bodily injury, or kidnapping to be imminently inflicted on anyone;

(3) by acts, words, or deeds occurring in the presence of the victim threatens to cause death, serious bodily injury, or kidnapping to be inflicted on anyone; or

(4) uses or exhibits a deadly weapon in the course of the same criminal episode; or

(5) the victim is younger than 14 years.

(b) The defenses enumerated in Section 21.10 (b) and (c) of this code shall not apply to this section.

(c) An offense under this section is a felony of the first degree.

SECTION 3. Section 21.11, Penal Code, is amended to read as follows:

(a) A person commits an offense if, with a child younger than 17 years and not his spouse, whether the child is of the same or opposite sex, he:

(1) engages in sexual contact with the child; or

(2) exposes his anus or any part of his genitals, knowing the child is present, with intent to arouse or gratify the sexual desire of any person.

(b) It is a defense to prosecution under this section that the child was at the time of the alleged offense 14 years or older and had, prior to the time of the alleged offense, engaged promiscuously in:

(1) sexual intercourse;

(2) deviate sexual intercourse;

(3) sexual contact; or

(4) indecent exposure as defined in Subsection (a) (2) of this section.

(c) It is an affirmative defense to prosecution under this section that the actor was not more than two years older than the victim and of the opposite sex.
[An offense under this section is a felony of the third degree.]

(d) An offense under Subsection (a) (1) of this section is a felony of the second degree and an offense under Subsection (a) (2) of this section is a felony of the third degree.

SECTION 4. Sections 22.04(b) and (c), Penal Code, as amended, are amended and Section 22.04 (d) is added as follows:

(b) An offense under Subsection (a) (1), (2), or (3) of this section is a felony of the first ~~[second]~~ degree ~~[unless the]~~ when the conduct is committed intentionally or knowingly. When the conduct is engaged in recklessly ~~[or negligently in which event]~~ it shall be a felony of the third degree.

(c) An offense under Subsection (a) (4) of this section is a felony of the third degree when the conduct is committed intentionally or knowingly. When the conduct is engaged in recklessly ~~[or negligently in which event]~~ it shall be a class A misdemeanor.

(d) An offense under Subsection (a) of this section when the person acts with criminal negligence shall be a class A misdemeanor.

SECTION 5. This Act applies only to offenses committed on or after its effective date. A criminal action for an offense committed before this Act's

effective date is governed by the law in existence before the effective date, and that law is continued in effect for this purpose as if this Act were not committed on or after the effective date of this Act if every element of the offense occurs on or after the effective date.

SECTION 6. This Act takes effect September 1, 1981.

SECTION 7. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

The Conference Committee Report was read and filed with the Secretary of the Senate.

SENATE RESOLUTION 587

Senator Brown offered the following resolution:

S.R. 587, Commending the Lone Star Historical Drama Association and the troupe performing in the fifth production of "The Lone Star".

The resolution was read and was adopted.

GUESTS PRESENTED

Senator Brown was recognized and presented the troupe performing in the production of "The Lone Star."

Members of the Lone Star Historical Drama Association, seated in the gallery, were also welcomed as guests of the Senate today.

GUEST PRESENTED

Senator Jones was recognized and presented The Honorable Jack Morgan, a Member of the State Senate of New Mexico.

Senator Morgan was welcomed as a guest of the Senate today.

GUEST PRESENTED

Senator Howard was recognized and presented Mrs. Joe Proctor from Kilgore.

Mrs. Proctor was welcomed as a guest of the Senate.

COMMITTEE SUBSTITUTE HOUSE BILL 1957 RECOMMITTED

Senator Meier moved to recommit **C.S.H.B. 1957** to the Committee on Economic Development.

Senator Vale made the substitute motion to commit **C.S.H.B. 1957** to the Committee on Natural Resources.

Question on the substitute motion to commit **C.S.H.B. 1957** to the Committee on Natural Resources, the substitute motion was lost by the following vote: Yeas 9, Nays 22.

Yeas: Doggett, Kothmann, Mauzy, Mengden, Parker, Truan, Uribe, Vale, Wilson.

Nays: Andujar, Blake, Brooks, Brown, Caperton, Farabee, Glasgow, Harris, Howard, Jones, Leedom, McKnight, Meier, Ogg, Richards, Santiesteban, Sarpalius, Short, Snelson, Traeger, Travis, Williams.

Question recurring on the motion to recommit C.S.H.B. 1957 to the Committee on Economic Development, the motion prevailed by the following vote: Yeas 31, Nays 0.

CONSIDERATION OF NOMINATIONS

The President announced that the time had arrived for the Senate to consider the nominations to agencies, boards and commissions. Notice of submission of these names was given by Senator McKnight yesterday.

EXECUTIVE SESSION

Senator McKnight moved the Senate meet in Executive Session to consider the nominations.

The motion prevailed.

RECORD OF VOTE

Senator Doggett asked to be recorded as voting "Nay" on the motion that the Senate meet in Executive Session.

Accordingly, the President at 12:10 o'clock p.m. directed all those not entitled to attend the Executive Session of the Senate to retire from the Senate Chamber and instructed the Sergeant-at-Arms to close all doors leading from the Chamber.

IN LEGISLATIVE SESSION

At the conclusion of the Executive Session, the President called the Senate to order as In Legislative Session at 12:41 o'clock p.m.

Senator McKnight moved confirmation of the nominees as reported from the Subcommittee on Nominations. The report was filed yesterday.

The President asked if there were requests to sever nominees.

Senator Ogg requested that Jack Taylor Dulworth to be a Member of the Texas Turnpike Authority be severed.

The request was granted.

The nominees not severed and as reported by the Subcommittee on Nominations were confirmed by the following vote: Yeas 31, Nays 0.

RECESS

On motion of Senator Mauzy the Senate at 12:45 o'clock p.m. took recess until 2:30 o'clock p.m. today.

AFTER RECESS

The Senate met at 2:30 o'clock p.m. and was called to order by the President.

REPORT OF STANDING COMMITTEE

By unanimous consent, Senator Snelson submitted the following report for the Committee on Education:

H.B. 2298 (Amended)
S.B. 1239

SENATE BILL 301 WITH HOUSE AMENDMENT

Senator Brooks called **S.B. 301** from the President's table for consideration of the House amendment to the bill.

The President laid the bill and the House amendment before the Senate.

Committee Amendment No. 1 - Criss

Amend Senate Bill 301 as follows:

On page 2, lines 5-6, delete "the sheriff shall appoint" and replace it with "the sheriff, commissioners court, and district attorney shall each appoint one member to".

On page 2, lines 13-14, delete "appointment of the sheriff" and replace it with "the entity which originally appointed the member".

The amendment was read.

Senator Brooks moved to concur in the House amendment.

The motion prevailed.

SENATE BILL 478 WITH HOUSE AMENDMENT

Senator Travis called **S.B. 478** from the President's table for consideration of the House amendment to the bill.

The President laid the bill and the House amendment before the Senate.

Committee Amendment No. 1 - McLeod

Substitute the following for **S.B. 478**:

A BILL TO BE ENTITLED
AN ACT

relating to persons who perform inspections of real property; excepting certain persons; amending The Real Estate License Act, as amended (Article 6573a, Vernon's Texas Civil Statutes), by adding Section 18C; providing civil and criminal penalties; providing for severability; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. The Real Estate License Act, as amended (Article 6573a, Vernon's Texas Civil Statutes), is amended by adding a new Section 18C to read as follows:

"Section 18C. (a) Any person or persons who hold themselves out to the public as being trained and qualified to inspect improvements to real property, including structural items and/or equipment and systems, and who accept employment for the purpose of performing such an inspection for a buyer or seller of real property pursuant to the provisions of any earnest money contract form adopted by the commission shall:

"(1) register his or her current name, type of legal entity, mailing address, place of business or businesses, and business telephone number or numbers with the commission;

"(2) furnish to the commission a bond executed by said person, as principal, and a surety company authorized to do business in this state, as surety, in the principal sum of \$25,000, payable to the commission for the purpose of reimbursing aggrieved persons who suffer monetary damages by reason of conduct by the inspector which constitutes fraud, misrepresentation, deceit, false pretenses, or trickery; and

"(3) pay the following fees to the commission:

"(i) a fee not to exceed \$100 for the filing of an original registration;

"(ii) a fee not to exceed \$100 for annual certification of registration status; and

"(iii) a fee not to exceed \$10 for a change of registration information.

"(b) The bond required by subsection (a)(2) hereof shall be open to successive claims up to the amount of face value of the bond and the surety shall not be liable for successive claims in excess of the bond amount, regardless of the number of years the bond remains in force.

"(c) No person required to register pursuant to the provisions of this section shall pay to any person who is acting as the agent, representative, attorney, or employee of the owner or prospective owner of real property any consideration, either directly or indirectly, as an inducement or compensation for the issuance, purchase, or acquisition of the inspection of improvements to real property.

"(d) The commission shall assign a registration number to each person registered in accordance with this section, and said registration number shall be published in connection with the business use of such registrant's name in soliciting or performing inspections of improvements to real property. Only persons registered in accordance with the section shall be entitled to use the designation 'Registered Real Estate Inspector.'

"(e) It is the intent of the legislature that the provisions of this section shall not apply to any electrician, plumber, carpenter, any person engaging in the business of structural pest control in compliance with the Texas Structural Pest Control Act, as amended (Article 135b-6, Vernon's Texas Civil Statutes), or any other person who repairs, maintains, or inspects improvements to real property and who does not hold himself or herself out to the public via personal solicitation or public advertising as being in the business of inspecting such improvements pursuant to the provisions of any earnest money contract form adopted by the commission.

"(f) The provisions of this section shall not be construed so as to prevent any person from performing any and all acts which said person is authorized to perform pursuant to a license issued by the State of Texas or any governmental subdivision thereof.

“(g) Any person or persons who willfully violate this section is guilty of a Class B misdemeanor.

“(h) It shall be a deceptive trade practice actionable under Subchapter E, Chapter 17, Business & Commerce Code, as amended, and a violation of this section for any person required to register pursuant to the provisions of this section to perform an inspection pursuant to a written contract which does not contain the following statement in at least 10-point bold type above or adjacent to the signature of the purchaser of the inspection, to wit:

‘NOTICE: YOU THE BUYER HAVE OTHER RIGHTS AND REMEDIES UNDER THE TEXAS DECEPTIVE TRADE PRACTICES-CONSUMER PROTECTION ACT WHICH ARE IN ADDITION TO ANY REMEDY WHICH MAY BE AVAILABLE UNDER THIS CONTRACT.

FOR MORE INFORMATION CONCERNING YOUR RIGHTS, CONTACT THE CONSUMER PROTECTION DIVISION OF THE ATTORNEY GENERAL'S OFFICE, YOUR LOCAL DISTRICT OR COUNTY ATTORNEY, OR THE ATTORNEY OF YOUR CHOICE.’

“(i) Any violation of this section is a deceptive trade practice and is actionable by any person for \$1,000 as a civil penalty or actual damages sustained, whichever is greater. Any plaintiff who shows a violation of this section shall recover court costs and attorney's fees that are reasonable in relation to the amount of work expended. Such violation is also actionable by any consumer as a deceptive trade practice pursuant to Subchapter E, Chapter 17, Business & Commerce Code, as amended.”

SECTION 2. All laws and parts of laws in conflict with this Act are repealed.

SECTION 3. If any word, phrase, clause, paragraph, sentence, part, or provision of this Act or the application thereof to any person or circumstance shall be held to be invalid or unconstitutional, the remainder of the Act shall nevertheless be valid, and the legislature hereby declares that this Act would have been enacted without such invalid or unconstitutional word, phrase, clause, paragraph, sentence, part, or provision.

SECTION 4. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

The amendment was read.

Senator Travis moved to concur in the House amendment.

The motion prevailed.

SENATE BILL 602 WITH HOUSE AMENDMENTS

Senator Sarpalius called S.B. 602 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and the House amendments before the Senate.

Committee Amendment No. 1 - B. Gibson

Amend S.B. 602 on page 1, lines 22 and 23, by striking "is employed to perform other duties related to agricultural production and".

Committee Amendment No. 2 - B. Gibson

Amend S.B. 602 on page 2, lines 7 and 8, by striking "~~[(except animal pest control)]~~" and substituting "(including [except] animal pest control)".

Committee Amendment No. 3 - B. Gibson

Amend S.B. 602 on page 4, lines 1 and 2, by striking ", except an individual working under the direct supervision of a certified applicator," and substituting "~~[, except an individual working under the direct supervision of a certified applicator,]~~".

The amendments were read.

Senator Sarpalius moved to concur in the House amendments.

The motion prevailed.

SENATE BILL 735 WITH HOUSE AMENDMENT

Senator Traeger called S.B. 735 from the President's table for consideration of the House amendment to the bill.

The President laid the bill and the House amendment before the Senate.

Committee Amendment No. 1 - Bock

Substitute the following for S.B. 735:

A BILL TO BE ENTITLED AN ACT

relating to the licensing and regulation of certain activities having to do with radioactive material and to certain powers of the Texas Radiation Control Agency; relating to membership of the Radiation Advisory Board; making an appropriation; amending Chapter 72, Acts of the 57th Legislature, Regular Session, 1961, as amended (Article 4590f, Vernon's Texas Civil Statutes), by amending Subsection (d) of Section 4 and Section 17 and adding Sections 6A, 11A, and 12A; and amending Section 2, Senate Bill No. 480, Acts of the 67th Legislature, Regular Session, 1981.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subsection (d), Section 4, Chapter 72, Acts of the 57th Legislature, Regular Session, 1961, as amended by Senate Bill No. 480, Acts of the 67th Legislature, Regular Session, 1981 (Article 4590f, Vernon's Texas Civil Statutes), is amended to read as follows:

"(d) The Agency shall, for the protection of the occupational and public health and safety and the environment:

"(1) Develop programs for evaluation of hazards associated with use of sources of radiation;

"(2) Develop programs with due regard for compatibility with federal programs for regulation of sources of radiation;

“(3) Formulate, adopt, promulgate and repeal rules and guidelines, which shall provide for licensing and registration, relating to control and transport of sources of radiation with due regard for compatibility with the regulatory programs of the Federal Government;

“(4) Issue such orders or modifications thereof as may be necessary in connection with proceedings under this Act;

“(5) Advise, consult, and cooperate with other agencies of the state, the Federal Government, other states and interstate agencies, local governments, and with groups concerned with control and transport of sources of radiation;

“(6) Have the authority to accept and administer loans, grants or other funds or gifts, conditional or otherwise, in furtherance of its functions, from the Federal Government and from other sources, public or private;

“(7) Encourage, participate in, or conduct studies, investigations, training, research, and demonstrations relating to control of sources of radiation;

“(8) Collect and disseminate information relating to control and transport of sources of radiation, including:

“(A) Maintenance of a file of all license applications, issuances, denials, amendments, transfers, renewals, modifications, suspensions and revocations;

“(B) Maintenance of a file of registrants possessing sources of radiation requiring registration under the provisions of this Act and any administrative or judicial action pertaining thereto;

“(C) Maintenance of a file of all rules and guidelines relating to regulation of sources of radiation, pending or promulgated, and proceedings thereon; and

“(D) Maintenance of a file of all known locations in Texas where radioactive material has been disposed of and where soils or facilities have been contaminated, together with any information on inspection reports concerning the material disposed of and on radiation levels at the locations;

“(9) Have the authority to acquire by purchase, gift, or under any other authority of law any by-product material as defined in Subdivision (2) of Subsection (a) of Section 3 of this Act and fee simple title in any land, affected mineral rights, and in buildings at which by-product material as defined in Subdivision (2) of Subsection (a) of Section 3 of this Act has been disposed of and abandoned, so that it can be managed in a manner consistent with public health, safety, and the environment;

“(9A) Have the authority to acquire, by purchase or gift, fee simple title in any land, affected mineral rights, and in buildings at which radioactive waste is being or can be disposed of in a manner consistent with public health and safety and the environment. Property acquired under this subsection shall be dedicated to use only for disposing of radioactive waste until the Agency determines that another use would not endanger the health, safety, or general welfare of the public or the environment. All right, title, and interest in, of, and to radioactive waste accepted for disposal at these facilities shall become the property of the state and shall be administered and controlled in the name of the state;

“(9B) Have the authority to lease property acquired under Subsection (9A) of this section to persons to operate sites for disposing of radioactive waste. A person's actions in disposing of radioactive waste shall be under the direct regulation of the Agency and shall be in accordance with rules adopted by the Agency;

“(9C) Formulate, adopt, promulgate, and repeal rules and guidelines providing for the transport and routing of radioactive material within the State of Texas;

“(9D) Conduct studies of the need for radioactive waste processing and disposal facilities and technologies as considered necessary by the Agency to

minimize the risks to the public and the environment from the management of radioactive waste;

"(9E) Establish, as considered necessary by the Agency, a classification system for radioactive waste based on radiological, chemical, and biological characteristics and on physical state so that radioactive wastes can be managed safely and compatibly; and

"(9F) Cooperate with and encourage the use of interstate compacts, including the Southern States Energy Board, for the development of regional sites that divide the burden of disposal of radioactive waste generated in the region among the states;

"(10) Administer the fund in accordance with Section 16 of this Act; and

"(11) Prepare and update emergency and environmental surveillance plans for fixed nuclear facilities within the State of Texas."

SECTION 2. Chapter 72, Acts of the 57th Legislature, Regular Session, 1961, as amended (Article 4590f, Vernon's Texas Civil Statutes), is amended by adding Sections 6A, 11A, and 12A to read as follows:

"Section 6A. ADDITIONAL REQUIREMENTS FOR CERTAIN BY-PRODUCT MATERIALS. (a) A radioactive materials license issued or renewed after the effective date of this Act, for any activity that results in the production of by-product material as defined in Subdivision (2) of Subsection (a) of Section 3 of this Act, shall minimize and to the maximum extent practicable eliminate the need for long-term maintenance and monitoring and shall contain terms and conditions the Agency determines to be necessary to assure that before termination of the license:

"(1) the licensee will comply with decontamination, decommissioning, reclamation, and disposal standards prescribed by the Agency, which shall be equivalent to or more stringent than those of the Commission for sites at which such ores were processed and at which such by-product material is deposited; and

"(2) the ownership of any disposal site other than a disposal well covered by a permit issued under Chapter 27, Water Code, as amended, and the by-product material resulting from the licensed activity shall, subject to the provisions of Subsections (b) through (f) of this Section and Subdivision (9) of Subsection (d) of Section 4 of this Act, be transferred to the State of Texas or the United States, if the State of Texas declines to acquire either the site or the by-product material, or both.

"(b) The Agency may require by rule or order that before the termination of a license that is issued after the effective date of this Act, title to the land, including any affected interests in the land, other than land held in trust by the United States for any Indian tribe or owned by an Indian tribe subject to a restriction against alienation imposed by the United States, or land already owned by the United States, or by the State of Texas, that is used for the disposal of by-product material as defined in Subdivision (2) of Subsection (a) of Section 3 of this Act, pursuant to the license, shall be transferred to the United States or the State of Texas, unless the Commission determines, before the termination, that transfer of title to the land and the by-product material is not necessary to protect the public health, safety, or welfare or to minimize danger to life or property.

"(c) If transfer to the State of Texas of title to by-product material as defined in Subdivision (2) of Subsection (a) of Section 3 of this Act and land is required, the Agency shall maintain the by-product material and land in a manner that will protect the public health, safety, and the environment.

"(d) The Agency is authorized to undertake in connection with the by-product material as defined in Subdivision (2) of Subsection (a) of Section 3 of

this Act and property for which it has assumed custody under this Act any monitoring, maintenance, and emergency measures necessary to protect the public health and safety and the environment.

“(e) The transfer of title to land and buildings and by-product material as defined in Subdivision (2) of Subsection (a) of Section 3 of this Act to the State of Texas does not relieve any licensee of liability for any fraudulent or negligent acts done before the transfer.

“(f) Except for administrative and legal costs incurred in carrying out the transfer, by-product material as defined in Subdivision (2) of Subsection (a) of Section 3 of this Act and land transferred to the State of Texas under this Act shall be transferred without cost to the State of Texas.”

“Section 11A. SPECIAL PROCEDURES FOR LICENSING CERTAIN BY-PRODUCT MATERIAL. (a) On issuance or renewal, if the Agency determines that a license to process materials resulting in by-product material as defined in Subdivision (2) of Subsection (a) of Section 3 of this Act will have a significant impact on the human environment, the Agency shall prepare or secure the preparation of a written analysis that shall be available to the public for written comment at least thirty (30) days before the beginning of the hearing, shall be made a part of the record, and shall include:

“(1) an assessment of the radiological and nonradiological impacts on the public health of the activity;

“(2) an assessment of any impact on any waterway and groundwater resulting from the activity;

“(3) consideration of alternatives, including but not limited to alternative sites and engineering methods, to the activities to be conducted under the license; and

“(4) consideration of the long-term impacts, including decommissioning, decontamination, and reclamation impacts, associated with activities to be conducted under the license, including the management of by-product material as defined by Subdivision (2) of Subsection (a) of Section 3 of this Act.

“(b) The Agency shall give notice of the environmental impact analysis as provided by Agency rule and afford an opportunity for a public hearing in the manner provided by the Administrative Procedure and Texas Register Act, as amended (Article 6252-13a, Vernon's Texas Civil Statutes), with right of appearance with or without counsel, examination, and cross-examination of witnesses under oath or affirmation, and a record made of the proceedings.

“(c) After notice is given, the Agency shall afford an opportunity for written comments by persons affected, who may be made parties to the proceedings on a determination of their possessing a justiciable interest in the outcome.

“(d) The Agency shall afford an opportunity to obtain a transcript of any public hearing on request and payment for the transcript or the posting of a sufficient deposit to assure the payment by the person requesting the transcript.

“(e) The Agency shall afford an opportunity to obtain a written determination of the action to be taken that is based on the evidence presented and the findings included in the determination, and that is subject to judicial review as provided by Subsection (d) of Section 11 of this Act.

“(f) The Agency shall prohibit any major construction with respect to the activities to be licensed until the requirement in Subsection (a) of this Section is completed.

“(g) The Agency shall assure that the management of by-product material as defined by Subdivision (2) of Subsection (a) of Section 3 of this Act is carried out in conformity with applicable standards promulgated by the Commission.

"(h) Notwithstanding any other provision of this Section, if the Agency finds that an emergency relating to the management of by-product material as defined in Subdivision (2) of Subsection (a) of Section 3 of this Act exists that requires immediate action to protect the public health and safety and the environment, the Agency may take action under Subsection (c) of Section 11 of this Act."

"Section 12A. THREAT OF DAMAGE BY CERTAIN BY-PRODUCT MATERIAL. (a) If the Agency determines that by-product material as defined in Subdivision (2) of Subsection (a) of Section 3 of this Act or the operation by which that by-product material is derived threatens the public health and safety and the environment and that the licensee is unable to correct or neutralize the threat, the Agency shall issue an order directing any action and corrective measures it finds necessary to correct or neutralize the threat and shall use the security provided by the licensee under this Act to pay the costs of actions and corrective measures taken or to be taken."

"(b) The Agency shall send a copy of its order to the Comptroller of Public Accounts together with necessary written requests authorizing the Comptroller to enforce security supplied by the licensee, to convert the necessary amount of security into cash, if necessary, and to disburse from this security in the fund the amount necessary to pay costs of the actions and corrective measures taken or to be taken by the Agency."

SECTION 3. Section 17, Chapter 72, Acts of the 57th Legislature, Regular Session, 1961, as amended by Senate Bill No. 480, Acts of the 67th Legislature, Regular Session, 1981 (Article 4590f, Vernon's Texas Civil Statutes), is amended to read as follows:

"Section 17. FEES. (a) The Agency may prescribe and collect a fee for each license and registration."

"(b) The amount of these fees shall be established by Agency rule and may not exceed the actual expenses incurred annually:"

"(1) in processing applications for a license or registration;

"(2) for amendments to or renewals of licenses or registrations;

"(3) for making inspections of licensees and registrants; and

"(4) for enforcement of this Act and rules, orders, licenses, and registrations of the Agency."

"(c) Fees collected by the Agency under this section shall be deposited in the General Revenue Fund."

SECTION 4. Section 2, Senate Bill No. 480, Acts of the 67th Legislature, Regular Session, 1981, is amended to read as follows:

"Section 2. (a) A person holding office as a member of the Radiation Advisory Board on the effective date of this Act shall continue to hold that office for the term for which he was originally appointed."

"(b) The governor shall appoint to the board a public member, a representative of the petroleum well-servicing industry, and one representative of the nuclear utility industry for terms expiring in 1983; a representative engaged in the use and application of nuclear physics in medicine [the public safety representative], a [the] representative of the radioactive waste processing industry, and one representative of the nuclear utility industry for terms expiring in 1985; and a public member, a [the] health physicist, and a [the] representative from the uranium mining industry for terms expiring in 1987. These terms shall expire on the same date in those years as terms of other members of the advisory board."

SECTION 5. The sum of \$105,098 is appropriated from the General Revenue Fund to the Texas Radiation Control Agency for the period ending August 31, 1981, for the administration of the radiation control program.

SECTION 6. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

The amendment was read.

Senator Traeger moved to concur in the House amendment.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent: Glasgow, Wilson.

SENATE BILL 1122 WITH HOUSE AMENDMENT

Senator Traeger called **S.B. 1122** from the President's table for consideration of the House amendment to the bill.

The President laid the bill and the House amendment before the Senate.

Floor Amendment No. 1 - W. Hall

Amend **S.B. 1122** by renumbering Section 2 as Section 3 and adding a new Section 2 to read as follows:

SECTION 2. Section 1, Chapter 183, Acts of the 65th Legislature, Regular Session, 1977 (Article 1446.9, Vernon's Texas Civil Statutes), is amended to read as follows:

Sec. 1. The city of El Paso or the El Paso Trade Zone, Inc., organized and incorporated under the laws of the State of Texas, with offices at or near El Paso, El Paso County, Texas, is authorized to apply for and accept a grant to establish, operate, and maintain a foreign trade zone adjacent to any port of entry in El Paso County, Texas, and other subzones, subject to the requirements of federal law and regulations of the Foreign Trade Zones Board.

The amendment was read.

Senator Traeger moved to concur in the House amendment.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent: Glasgow, Wilson.

LEAVES OF ABSENCE

Senator Leedom was granted leave of absence for the remainder of today on account of important business on motion of Senator Mengden.

Senator Wilson was granted leave of absence for the remainder of today on account of important business on motion of Senator Traeger.

GUEST PRESENTED

Senator Truan was recognized and presented Judge Robert N. Barnes, County Judge of Nueces County.

CONFERENCE COMMITTEE REPORT ON SENATE BILL 425 ADOPTED

Senator Santiesteban called from the President's table the Conference Committee Report on **S.B. 425**. (The Conference Committee Report having been filed with the Senate and read on Tuesday, May 5, 1981)

Senator Santiesteban moved to adopt the Conference Committee Report on **S.B. 425**.

Senator Traeger made the substitute motion to reject the Conference Committee Report on **S.B. 425**, discharge the Conference Committee and appoint a new Conference Committee.

Question occurring on the substitute motion to reject the Conference Committee Report, the substitute motion was lost by the following vote: Yeas 11, Nays 17, Present-not voting 1.

Yeas: Andujar, Blake, Caperton, Farabee, Howard, Jones, Meier, Mengden, Richards, Short, Traeger.

Nays: Brooks, Brown, Doggett, Glasgow, Harris, Kothmann, McKnight, Ogg, Parker, Santiesteban, Sarpalius, Snelson, Travis, Truan, Uribe, Vale, Williams.

Present-not voting: Mauzy.

Absent-excused: Leedom, Wilson.

Question recurring on the motion to adopt the Conference Committee Report, the Conference Committee Report was adopted by the following vote: Yeas 26, Nays 3.

Yeas: Andujar, Blake, Brooks, Brown, Caperton, Doggett, Farabee, Glasgow, Harris, Kothmann, Mauzy, McKnight, Meier, Mengden, Ogg, Parker, Richards, Santiesteban, Sarpalius, Short, Snelson, Travis, Truan, Uribe, Vale, Williams.

Nays: Howard, Jones, Traeger.

Absent-excused: Leedom, Wilson.

HOUSE BILL 798 REREFERRED

On motion of Senator Santiesteban and by unanimous consent, **H.B. 798** was withdrawn from the Committee on Economic Development and rereferred to the Committee on Human Resources.

SENATE RULE 103 SUSPENDED

On motion of Senator Santiesteban and by unanimous consent, Senate Rule 103 was suspended in order that the Committee on Human Resources might consider **H.B. 798** today.

FLOOR PRIVILEGES GRANTED

On motion of Senator Brooks and by unanimous consent, floor privileges were granted to Theodore J. Taylor and Danny Smith of the Texas Energy and Natural Resources Advisory Council so they might sit at Senator Brook's desk during the discussion of C.S.S.B. 1177.

COMMITTEE SUBSTITUTE SENATE BILL 1177 ON SECOND READING

On motion of Senator Brooks and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 1177, Relating to the creation, administration, powers, duties, operations, and financing of the Texas Low-Level Radioactive Waste Disposal Authority; providing penalties.

(President Pro Tempore Traeger in Chair)

The bill was read second time.

Senator Brooks offered the following amendment to the bill:

Amend S.B. 1177, Section 1.03 (5) by substituting the following in lieu thereof:

(5) "Low-level waste" means any radioactive material that has a half-life of 35 years or less or that has less than 10 nanocuries per gram of transuranics and may include radioactive material not excluded by this subdivision with a half-life of more than 35 years if special criteria are established by the agency for disposal of that waste. The term does not include irradiated reactor fuel and high-level radioactive waste as defined by Title 10, Code of Federal Regulations.

The amendment was read and was adopted.

Senator Doggett offered the following amendment to the bill:

Amend Senate Bill 1177 by adding SECTION 3.29 to read as follows:

3.29 HEALTH SURVEILLANCE SURVEY. The Board, in cooperation with the Health Department and local public health officials, shall study the feasibility of developing a health surveillance survey for the population in the disposal site vicinity.

The amendment was read and was adopted.

On motion of Senator Brooks and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

COMMITTEE SUBSTITUTE SENATE BILL 1177 ON THIRD READING

Senator Brooks moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that C.S.S.B. 1177 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent-excused: Leedom, Wilson.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 0.

Absent-excused: Leedom, Wilson.

COMMITTEE SUBSTITUTE SENATE BILL 1146 ON SECOND READING

Senator McKnight asked unanimous consent to suspend the regular order of business to take up for consideration at this time:

C.S.S.B. 1146, Relating to distribution, proration, apportionment, allocation, and regulation of certain oil and gas.

There was objection.

Senator McKnight then moved to suspend the regular order of business and take up **C.S.S.B. 1146** for consideration at this time.

The motion prevailed by the following vote: Yeas 19, Nays 9.

Yeas: Brooks, Brown, Caperton, Doggett, Jones, Kothmann, Mauzy, McKnight, Mengden, Ogg, Parker, Richards, Santiesteban, Short, Travis, Truan, Uribe, Vale, Williams.

Nays: Andujar, Blake, Farabee, Glasgow, Harris, Howard, Meier, Snelson, Traeger.

Absent: Sarpalius.

Absent-excused: Leedom, Wilson.

The bill was read second time and was passed to engrossment.

RECORD OF VOTES

Senators Howard and Farabee asked to be recorded as voting "Nay" on the passage of the bill to engrossment.

RECORD OF VOTE

Senator Ogg asked to be recorded as "Present-not voting" on the passage of the bill to engrossment.

SENATE BILL 42 ON SECOND READING

On motion of Senator Mengden and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 42, Relating to the deadline for receipt of absentee ballots voted by mail.

The bill was read second time.

Senator Ogg offered the following amendment to the bill:

Amend **S.B. 42** by renumbering Section 2 as Section 3 and inserting a new Section 2 to read as follows:

SECTION 2. Subdivision 4e, Section 37, Texas Election Code (Article 5.05, Vernon's Texas Election Code), is amended to read as follows:

Subdiv. 4e. **PERIOD FOR MAILING BALLOT TO VOTER OUTSIDE THE UNITED STATES, ETC.** Notwithstanding the provisions of Subdivision 4 of this section, the clerk shall mail a ballot to an absentee voter as soon as possible after the ballots become available, but not earlier than 45 [30] days before the election, if the ballot is to be mailed to one of the following: (1) an address outside the United States; (2) an address in the United States for forwarding to the voter at a location outside the United States; (3) an Army Post Office (APO) or a Fleet Post Office (FPO) address; or (4) an address in the United States for delivery or forwarding to a member of the merchant marine. If, after an absentee ballot is mailed to a voter, any change is made in the official ballot due to the death of a candidate or for any other reason except to correct an error, the clerk shall not mail another ballot to the voter, and the votes cast for that office on ballots mailed before the change is made shall not be counted.

The amendment was read and was adopted.

On motion of Senator Mengden and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

SENATE BILL 42 ON THIRD READING

Senator Mengden moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 42** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent-excused: Leedom, Wilson.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 0.

Absent-excused: Leedom, Wilson.

COMMITTEE SUBSTITUTE SENATE BILL 593 ON SECOND READING

On motion of Senator Santiesteban and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 593, Relating to the licensing fees of persons licensed by the Texas Cosmetology Commission, amending Sections 10, 11, 12, 13, 14, 17, 19, 20, 21, 33 and 34 of Chapter 1036, Acts of the 62nd Legislature, 1971, as amended, (Article 8451a, Vernon's Texas Civil Statutes), and declaring an emergency.

The bill was read second time and was passed to engrossment.

COMMITTEE SUBSTITUTE SENATE BILL 593 ON THIRD READING

Senator Santiesteban moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that C.S.S.B. 593 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent-excused: Leedom, Wilson.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 0.

Absent-excused: Leedom, Wilson.

LEAVE OF ABSENCE

Senator Andujar was granted leave of absence for the remainder of today on account of important business on motion of Senator Harris.

COMMITTEE SUBSTITUTE SENATE BILL 413 ON SECOND READING

Senator Williams moved to suspend the regular order of business to take up for consideration at this time:

C.S.S.B. 413, Relating to commercial shrimping.

The motion prevailed by the following vote: Yeas 24, Nays 4.

Yeas: Blake, Brooks, Brown, Caperton, Farabee, Glasgow, Harris, Howard, Jones, Kothmann, McKnight, Meier, Mengden, Ogg, Parker, Richards, Santiesteban, Sarpalius, Short, Snelson, Traeger, Travis, Vale, Williams.

Nays: Doggett, Mauzy, Truan, Uribe.

Absent-excused: Andujar, Leedom, Wilson.

The bill was read second time.

Senator Williams offered the following amendment to the bill:

Amend **C.S.S.B. 413** on page 2, line 13, by adding the following after "day.":

However, in the area one side of which is a line starting at the west end of the Texas City Dike and extending along the coastline to the Galveston Causeway, one side of which is the Galveston Causeway extending from the coastline to the Gulf Intercoastal Waterway, one side of which is the Gulf Intercoastal Waterway extending from the Galveston Causeway to the Houston Ship Channel, one side of which is a line extending from the intersection of the Houston Ship Channel and the Gulf Intercoastal Waterway to the east end of the Texas City Dike, and one side of which is a line extending along the Texas City Dike from its east end to the coastline, a licensed commercial bait-shrimp

boat operator may also catch shrimp for use as bait during the period beginning at 5 p.m. and ending at sundown only if:

- (1) the operator is a member of a bait camp;
- (2) the bait camp is a legitimate retail outlet with live bait facilities and the camp acquired its limited sales tax permit by March 1, 1981; and
- (3) no more than two boats per camp per day are used to catch shrimp for use as bait.

The amendment was read and was adopted.

Senator Parker offered the following amendment to the bill:

Amend SECTION 1 of C.S.S.B. 413 to read as follows:

SECTION 1. Section 77.092, Parks and Wildlife Code, is amended to read as follows:

Sec. 77.092. COMMERCIAL SHRIMP LIMITS.

(a) During the period from May 15 to July 15, both dates inclusive, no [a] licensed commercial bay shrimp boat operator may catch shrimp during the period beginning at 2 p.m. of one day and ending 30 minutes before sunrise of the next day and a licensed commercial bay shrimp boat operator may catch not more than [300] 700 pounds of shrimp per boat per calendar day, and may possess or have on board a boat in the inside water or unload or attempt to unload at a point in this state not more than [300] 700 pounds of shrimp.

(b) The weight of the shrimp must be determined in their natural state with heads attached.

(c) During the period from May 15 to July 15, both dates inclusive, shrimp [Shrimp] caught or taken [under this section] are not subject to the size requirement set out in Section 77.013 of this code.

The amendment was read.

Senator Truan offered the following amendment to the pending amendment:

Amend C.S.S.B. 413 on page 1 line 10 by adding the following after "next day":

" , and no licensed commercial bay shrimp boat operator may catch more than 600 pounds of shrimp per boat during this period on any calendar day, or possess or have on board a boat in the inside water or unload or attempt to unload at a point in this state more than 600 pounds of shrimp per boat per calendar day. The weight of shrimp must be determined in their natural state with heads attached".

The amendment to the pending amendment was read.

On motion of Senator Parker, the amendment to the pending amendment was tabled by the following vote: Yeas 15, Nays 12.

Yeas: Brooks, Caperton, Doggett, Farabee, Glasgow, Jones, Kothmann, Mengden, Ogg, Parker, Santiesteban, Short, Snelson, Travis, Williams.

Nays: Blake, Brown, Harris, Howard, Mauzy, McKnight, Meier, Sarpalius, Traeger, Truan, Uribe, Vale.

Absent: Richards.

Absent-excused: Andujar, Leedom, Wilson.

Question recurring on the adoption of the pending amendment, the pending amendment was adopted by the following vote: Yeas 22, Nays 5.

Yeas: Blake, Brooks, Brown, Caperton, Doggett, Farabee, Glasgow, Jones, Kothmann, Mauzy, McKnight, Meier, Mengden, Ogg, Parker, Santiesteban, Sarpalius, Short, Traeger, Travis, Vale, Williams.

Nays: Harris, Howard, Snelson, Truan, Uribe.

Absent: Richards.

Absent-excused: Andujar, Leedom, Wilson.

(President in Chair)

Senator Sarpalius offered the following amendment to the bill:

Amend C.S.S.B. 413 by amending Section 77.020, Parks and Wildlife Code, by amending subsection (b), and by adding a subsection (c) to read as follows:

(b) A person who violates Section 77.011, 77.013, 77.016, 77.017, 77.018, 77.019, 77.047, 77.061, 77.063, 77.064, 77.065, 77.066, 77.067, 77.068, 77.069, 77.070, 77.081, 77.082, 77.085, 77.086, 77.087, 77.088, 77.089, 77.090, 77.091, ~~(77.092,)~~ 77.093, 77.095(a), 77.096, 77.097, 77.098, or 77.099 of this code is guilty of a misdemeanor and on conviction is punishable:

(1) by a fine of \$200 for the first offense;

(2) by a fine of not less than \$300 nor more than \$700 or confinement in the county jail for not less than 10 days nor more than 60 days or both for the second offense;

(3) by a fine of not less than \$750 nor more than \$2500 and confinement in the county jail for not less than 30 days nor more than six months for the third offense.

(c) A person who violates Section 77.092 of this code shall be guilty of a misdemeanor and on conviction is punishable by a fine of not less than \$750 nor greater than \$2500 or confinement in the county jail for not more than six months or both.

The amendment was read.

On motion of Senator Williams, the amendment was tabled by the following vote: Yeas 15, Nays 11.

Yeas: Brooks, Caperton, Doggett, Kothmann, Mauzy, McKnight, Mengden, Ogg, Parker, Santiesteban, Short, Traeger, Travis, Vale, Williams.

Nays: Blake, Brown, Farabee, Harris, Howard, Jones, Meier, Sarpalius, Snelson, Truan, Uribe.

Absent: Glasgow, Richards.

Absent-excused: Andujar, Leedom, Wilson.

Senator Sarpalius offered the following amendment to the bill:

Amend C.S.S.B. 413 by amending Section 77.020, Parks and Wildlife Code, by amending subsection (b), and by adding a subsection (c) to read as follows:

(b) A person who violates Section 77.011, 77.013, 77.016, 77.017, 77.018, 77.019, 77.047, 77.061, 77.063, 77.064, 77.065, 77.066, 77.067, 77.068, 77.069, 77.070, 77.081, 77.082, 77.085, 77.086, 77.087, 77.088, 77.089, 77.090, 77.091, ~~(77.092,)~~ 77.093, 77.095(a), 77.096, 77.097, 77.098, or 77.099 of this code is guilty of a misdemeanor and on conviction is punishable:

(1) by a fine of \$200 for the first offense;

(2) by a fine of not less than \$300 nor more than \$700 or confinement in the county jail for not less than 10 days nor more than 60 days or both for the second offense;

(3) by a fine of not less than \$750 nor more than \$2500 and confinement in the county jail for not less than 30 days nor more than six months for the third offense.

(c) A person who violates Section 77.092 of this code shall be guilty of a Class B misdemeanor.

The amendment was read and was adopted.

On motion of Senator Williams and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

RECORD OF VOTES

Senators Truan, Harris and Mauzy asked to be recorded as voting "Nay" on the passage of the bill to engrossment.

MOTION TO PLACE

COMMITTEE SUBSTITUTE SENATE BILL 413 ON THIRD READING

Senator Williams moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that C.S.S.B. 413 be placed on its third reading and final passage.

The motion was lost by the following vote: Yeas 20, Nays 7. (Not receiving four-fifths vote of Members present)

Yeas: Brooks, Caperton, Doggett, Farabee, Glasgow, Jones, Kothmann, McKnight, Meier, Mengden, Ogg, Parker, Santiesteban, Sarpalius, Short, Snelson, Traeger, Travis, Vale, Williams.

Nays: Blake, Brown, Harris, Howard, Mauzy, Truan, Uribe.

Absent: Richards.

Absent-excused: Andujar, Leedom, Wilson.

LEAVE OF ABSENCE

Senator Traeger was granted leave of absence for the remainder of today on account of important business on motion of Senator Short.

MOTION TO PLACE SENATE BILL 1059 ON SECOND READING

Senator Jones moved to suspend the regular order of business to take up for consideration at this time:

S.B. 1059, Relating to regulation of funeral directing and embalming; providing penalties.

The motion was lost by the following vote: Yeas 14, Nays 12. (Not receiving two-thirds vote of Members present)

Yeas: Blake, Brown, Glasgow, Harris, Howard, Jones, McKnight, Meier, Ogg, Santiesteban, Sarpalius, Snelson, Travis, Williams.

Nays: Brooks, Caperton, Doggett, Farabee, Kothmann, Mauzy, Mengden, Parker, Short, Truan, Uribe, Vale.

Absent: Richards.

Absent-excused: Andujar, Leedom, Traeger, Wilson.

COMMITTEE SUBSTITUTE SENATE BILL 791 ON SECOND READING

On motion of Senator Brooks and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 791, Relating to the provision of mental health and mental retardation services at the community level.

The bill was read second time and was passed to engrossment.

COMMITTEE SUBSTITUTE SENATE BILL 791 ON THIRD READING

Senator Brooks moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **C.S.S.B. 791** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 27, Nays 0.

Absent-excused: Andujar, Leedom, Traeger, Wilson.

The bill was read third time and was passed.

COMMITTEE SUBSTITUTE SENATE BILL 1033 ON SECOND READING

On motion of Senator Truan and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 1033, Relating to minimum shrimp size restrictions in outside water.

The bill was read second time and was passed to engrossment.

COMMITTEE SUBSTITUTE SENATE BILL 1033 ON THIRD READING

Senator Truan moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that C.S.S.B. 1033 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 27, Nays 0.

Absent-excused: Andujar, Leedom, Traeger, Wilson.

The bill was read third time and was passed by the following vote: Yeas 27, Nays 0.

Absent-excused: Andujar, Leedom, Traeger, Wilson.

COMMITTEE SUBSTITUTE SENATE BILL 5 ON SECOND READING

On motion of Senator Brooks and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 5, Relating to accessibility standards and specifications in certain buildings and facilities; amending the State Purchasing and General Services Act (Article 601b, Vernon's Texas Civil Statutes), by amending Subsections (a), (c), and (d) of, and adding Subsection (e) to, Section 7.02; and by amending Subsection (e) of Section 7.05.

The bill was read second time.

Senator Brooks offered the following amendment to the bill:

Amend C.S.S.B. 5, SECTION 1, (d) (2) to read as follows:

(d) passenger transportation terminals

The amendment was read and was adopted.

On motion of Senator Brooks and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

COMMITTEE SUBSTITUTE SENATE BILL 5 ON THIRD READING

Senator Brooks moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that C.S.S.B. 5 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 27, Nays 0.

Absent-excused: Andujar, Leedom, Traeger, Wilson.

The bill was read third time.

Question - Shall the bill be finally passed?

SENATE BILL 387 ON SECOND READING

On motion of Senator Doggett and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 387, Relating to application of the open meetings law.

The bill was read second time and was passed to engrossment.

SENATE BILL 387 ON THIRD READING

Senator Doggett moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 387** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 27, Nays 0.

Absent-excused: Andujar, Leedom, Traeger, Wilson.

The bill was read third time and was passed by the following vote: Yeas 26, Nays 1.

Yeas: Blake, Brooks, Brown, Caperton, Doggett, Farabee, Harris, Howard, Jones, Kothmann, Mauzy, McKnight, Meier, Mengden, Ogg, Parker, Richards, Santiesteban, Sarpalius, Short, Snelson, Travis, Truan, Uribe, Vale, Williams.

Nays: Glasgow.

Absent-excused: Andujar, Leedom, Traeger, Wilson.

COMMITTEE SUBSTITUTE SENATE BILL 5 ON THIRD READING

The Senate resumed consideration of **C.S.S.B. 5** on its third reading and final passage.

Question - Shall the bill be finally passed?

Senator Mauzy offered the following amendment to the bill:

Amend **C.S.S.B. 5** by striking the words "or complexes" on p. 2, line 20 of the bill.

The amendment was read and was adopted by unanimous consent.

On motion of Senator Brooks and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was finally passed by the following vote: Yeas 27, Nays 0.

Absent-excused: Andujar, Leedom, Traeger, Wilson.

COMMITTEE SUBSTITUTE SENATE BILL 752 ON SECOND READING

On motion of Senator Harris and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 752, Declaring the policy of this state to safeguard the health, general welfare, and physical property of the people of the state from pollution resulting from solid waste by encouraging the processing of solid waste for reuse; authorizing each issuer as defined in this Act to acquire, construct, and improve or cause to be acquired, constructed, and improved certain solid waste resource recovery systems for lease or sale to other persons and to issue, sell, and deliver revenue bonds to provide funds for such purposes and to issue bond anticipation notes under certain circumstances; prescribing the terms and permissible security for such bonds; authorizing the issuer to fix and from time to time revise payments under leases and contracts for sale of the solid waste resource recovery systems of the issuer; making provision in the event of default or threatened default in the payment of such bonds; providing that such bonds shall be special obligations of the issuer; authorizing the refunding of such bonds; authorizing the securing of such bonds by trust indentures; providing for the approval of such bonds and leases or other contracts of sale by the attorney general; making such bonds and leases and other contracts of sale incontestable; providing that such bonds shall be legal investments and eligible to secure public deposits; providing for tax exemption of such bonds, the income therefrom, or the transfer thereof; authorizing any public agency to contract for the supply, collection, transportation, and disposal of solid waste at any solid waste resource recovery system financed under this Act; providing for certain matters pertaining to letting of contracts; providing for tax liability of persons contracting with an issuer for the purchase of lease of any solid waste resource recovery system; providing for issuers to pay expense of relocation or alteration of any highway, railroad, or public utility; preserving the authority of the Texas Department of Water Resources and Texas Department of Health and the applicability of the Solid Waste Disposal Act; preserving the common law remedies of private persons as against a lessee or user under a contract with an issuer; authorizing certain industrial development corporations to issue bonds to finance solid waste resource recovery systems; providing that this law shall be cumulative of existing laws; providing for severability; making other provisions on the premises; and declaring an emergency.

The bill was read second time.

Senator Howard offered the following amendment to the bill:

Amends **C.S.S.B. 752**, Section 3, Paragraph (5), which defines the term "Public Agency", by striking said paragraph in its entirety, and substituting the following:

"(s). "Public Agency" means any incorporated city or town in the State."

The amendment was read and was adopted.

Senator Howard offered the following amendment to the bill:

Amends **C.S.S.B. 752**, Section 12, by adding the following sentence to said section:

"Items purchased or leased as part of a solid waste resource recovery system are subject to all applicable state taxation."

The amendment was read and was adopted.

Senator Howard offered the following amendment to the bill:

Amends C.S.S.B. 752, Section 16, by striking Section 16 in its entirety and substituting with the following:

"Section 16. A public agency which has entered into a contract pursuant to Section 10 of this Act may not sponsor the creation of an industrial development corporation pursuant to the provisions of the Development Corporation Act of 1979 (Article 5190.6, Vernon's Texas Civil Statutes), for the purpose of acquiring, financing, refinancing, or constructing a solid waste resource recovery system."

The amendment was read and was adopted.

On motion of Senator Harris and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

COMMITTEE SUBSTITUTE SENATE BILL 752 ON THIRD READING

Senator Harris moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that C.S.S.B. 752 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 27, Nays 0.

Absent-excused: Andujar, Leedom, Traeger, Wilson.

The bill was read third time and was passed by the following vote: Yeas 27, Nays 0.

Absent-excused: Andujar, Leedom, Traeger, Wilson.

WELCOME AND CONGRATULATORY RESOLUTIONS

H.C.R. 150 - (Parker) Recognizing "American Airlines Day" in Texas.

S.R. 588 - By Wilson: Extending welcome to the fifth grade students from Hermes Elementary School of La Grange.

S.R. 589 - By Traeger: Extending welcome to the sixth grade students of LaVernia.

S.R. 590 - By Caperton: Extending welcome to Linda Thompson.

S.R. 591 - By Glasgow: Extending welcome to Richard Stewart, Mayor of Denton.

RECESS

On motion of Senator Mauzy the Senate at 4:59 o'clock p.m. took recess until 8:30 o'clock a.m. tomorrow.

APPENDIX

Sent to Governor
(May 6, 1981)

S.B. 168
S.B. 488
S.B. 782

SIXTY-FOURTH DAY

(Continued)

(Thursday, May 7, 1981)

AFTER RECESS

The Senate met at 8:30 o'clock a.m. and was called to order by Senator Blake.

LOCAL AND UNCONTESTED BILLS CALENDAR

The Presiding Officer (Senator Blake in Chair) announced that the time had arrived for the consideration of the Local and Uncontested Bills Calendar in accordance with the provisions of **S.R. 148**.

After suspending the regular order by unanimous consent, the following bills were read second time, amended where applicable, passed to engrossment, read third time and passed: (Sponsor, vote on Constitutional Three-Day Rule and final passage indicated after caption of each bill)

H.C.R. 20 (Brooks) Declaring Earl Campbell a State hero. (vv)

H.B. 373 (Howard) Relating to the directors and taxes of the Titus County Hospital District. (27-0) (27-0)

H.B. 388 (Ogg) Relating to inspection requirements for commercial motor vehicles with temporary permits for highway operation. (27-0) (27-0)

H.B. 448 (Glasgow) Relating to filing leases of commercial motor vehicles and truck-tractors with the State. (27-0) (27-0)

H.B. 480 (Parker) Relating to the compensation of the judges of the district courts in Orange County. (27-0) (27-0)

H.B. 481 (Parker) Relating to the compensation and duties of the Orange County Juvenile Board, making provisions for the juvenile court and the Orange

County Child Support Office, and providing for certain services relating to children and for funds for the services. (27-0) (27-0)

H.B. 576 (Parker) Relating to the application of the Parks and Wildlife Code to crayfish. (27-0) (27-0)

H.B. 859 (Harris) Amending Insurance Code to exclude reinsurance reserve assets from the provisions thereof under certain conditions. (27-0) (27-0)

H.B. 742 (Kothmann) Relating to naming a State office building in memory of G. J. Sutton. (27-0) (27-0)

H.B. 803 (Harris) Relating to the expenditure of proceeds of airport revenue bonds. (27-0) (27-0)

H.B. 873 (Truan) Relating to changing the name of Nueces County Navigation District No. 1 and its governing board and governing board members. (27-0) (27-0)

H.B. 941 (Harris) Relating to licensing and regulation of agents of county mutual insurance companies. (27-0) (27-0)

H.B. 1093 (Travis) Relating to deposit requirements for foreign casualty insurers. (27-0) (27-0)

H.B. 1139 (Traeger) Relating to the imposition of a hotel occupancy tax by certain counties. (27-0) (27-0)

H.B. 1399 (Uribe) Relating to the administration of credit unions. (27-0) (27-0)

H.B. 1412 (Howard) Establishing administrative remedies. (27-0) (27-0)

H.B. 1413 (Wilson) Relating to jurisdiction over activities associated with uranium exploration. (27-0) (27-0)

H.B. 1543 (Wilson) Relating to the application of the Uniform Wildlife Regulatory Act to fish and other aquatic life in Coleto Creek Reservoir in Goliad County. (27-0) (27-0)

H.B. 1789 (Uribe) Relating to books and records of an insurance premium finance company. (27-0) (27-0)

H.B. 1915 (Jones) Relating to the fees for examination of trust companies. (27-0) (27-0)

H.B. 1941 (Uribe) Relating to the regulation of fire extinguishers and fire alarm or fire detection devices. (27-0) (27-0)

H.B. 1954 (Meier) Relating to the minimum capital, surplus, and reserve requirements of State banks. (27-0) (27-0)

H.B. 1955 (Meier) Relating to savings departments of State banks. (27-0) (27-0)

H.B. 1956 (Meier) Relating to the grant to State banks of the power to make loans or investments as if they were national banks. (27-0) (27-0)

H.B. 1958 (Meier) Relating to the subscription of stock in the Federal National Mortgage Association by a State bank or trust company. (27-0) (27-0)

H.B. 1999 (Uribe) Relating to the provision of health care to certain persons suffering from kidney disease. (27-0) (27-0)

H.B. 2012 (Sarpalius) Relating to definition of premiums in the Life, Accident, Health, and Hospital Service Insurance Guaranty Association Act. (27-0) (27-0)

Senator Sarpalius offered the following committee amendment to the bill:

Amend **H.B. 2012** on page 1, line 16, by deleting the words “for death benefit coverage” which appears between the word “amount” and the word “in,”

The committee amendment was read and was adopted.

On motion of Senator Sarpalius and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

H.B. 2124 (Wilson) Relating to applications for State bank charters. (27-0) (27-0)

S.C.R. 35 (Parker) Creating a special interim committee to study state services for persons with diabetes. (vv)

S.C.R. 93 (Mengden) Granting Mrs. Warthell Browne Iles permission to sue the State of Texas. (vv)

S.C.R. 97 (Doggett) Granting William W. Holmes, Jr., permission to sue the State of Texas. (vv)

C.S.S.B. 276 (Wilson) Relating to menhaden license; prohibiting electricity-producing devices. (27-0) (27-0)

S.B. 277 (Truan) Relating to the diagnosis and care of persons having tuberculosis. (27-0) (27-0)

C.S.S.B. 419 (Parker) Relating to the date on which the State Treasurer shall require that payment in full be made for stamps or meter settings received by the distributor. (27-0) (27-0)

C.S.S.B. 531 (Glasgow) Relating to the certification of sickness or disability for absentee voting. (27-0) (27-0)

C.S.S.B. 600 (Traeger) Relating to the regulation of utilities. (27-0) (27-0)

C.S.S.B. 626 (Doggett) Relating to the certification of court reporters and the regulation of shorthand reporting for use in litigation; creating the Court Reporters Certification Board. (27-0) (27-0)

S.B. 648 (Ogg) Relating to the processing of results of absentee electronic voting system ballots. (27-0) (27-0)

S.B. 714 (Ogg) Relating to regulation of volunteer deputy voter registrars. (27-0) (27-0)

S.B. 718 (Travis) Relating to payroll deductions for county employees in certain counties for certain charitable contributions and the use of public funds to defray administrative costs. (27-0) (27-0)

C.S.S.B. 768 (Snelson) Relating to the registration and regulation of landscape architects. (27-0) (27-0)

C.S.S.B. 769 (Snelson) Relating to the registration and regulation of architects. (27-0) (27-0)

C.S.S.B. 776 (Ogg) Relating to the dates for holding certain elections. (27-0) (27-0)

S.B. 953 (Snelson) Relating to the State Commission for the Blind. (27-0) (27-0)

Senator Snelson offered the following committee amendment to the bill:

Amend **S.B. 953**, Sec. 3, by striking the word "board" in sec. 91.029, Human Resources Code, and substituting in lieu thereof, the following:

"executive director"

The committee amendment was read and was adopted.

On motion of Senator Snelson and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

S.B. 955 (Harris) Relating to compulsory inspection of certain vehicles, inspection stations, inspectors, and fees. (27-0) (27-0)

S.B. 957 (Travis) Relating to the classification of certain persons for purposes of tuition at institutions of higher education. (27-0) (27-0)

S.B. 964 (Caperton) Relating to the qualifications of the judge of the County Court at Law of Walker County. (27-0) (27-0)

Senator Caperton offered the following committee amendment to the bill:

Amend Senate Bill 964, SECTION 1 to read as follows:

(a) The judge of the county court at law shall have been a bona fide resident of Walker County for two years prior to his appointment or election and shall be a qualified voter in Walker County. He shall be a licensed attorney ~~[in this state who has been actively engaged in the practice of law]~~ for a period of four ~~[five]~~ years prior to his appointment or election.

The committee amendment was read and was adopted.

On motion of Senator Caperton and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

S.B. 1022 (Ogg) Relating to the fees for filing, recording, and indexing of certain financing statements, termination statements, and release statements. (27-0) (27-0)

C.S.S.B. 1106 (Ogg) Authorizing certain cities to establish, acquire, construct, improve, or operate cultural facilities and related parking facilities. (27-0) (27-0)

C.S.S.B. 1119 (Leedom) Relating to the authority of commissioners courts to authorize county purchases not to exceed a designated amount. (27-0) (27-0)

S.B. 1141 (Mengden) Relating to the authority of the commissioners courts of certain counties to contract for the destruction of bonds, interest coupons, or other evidences of indebtedness issued and paid by the counties. (27-0) (27-0)

S.B. 1142 (Mengden) Relating to the authority of the commissioners courts of certain counties to invest county funds in obligations of the United States. (27-0) (27-0)

Senator Mengden offered the following committee amendment to the bill:

Amend **S.B. 1142** by renumbering Section 3 as Section 4 and by adding a new Section 3 to read as follows:

SECTION 3. This Act does not affect any contract that was made by a county before the effective date of this Act and that relates to the deposit of county funds in a financial institution.

The committee amendment was read and was adopted.

On motion of Senator Mengden and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

C.S.S.B. 1159 (Richards) Relating to the use of facsimile signatures on certain municipal documents. (27-0) (27-0)

S.B. 1165 (Farabee) Relating to the fees, costs, and deposits to be received by the Clerk of the Supreme Court. (27-0) (27-0)

S.B. 1168 (Santiesteban) Relating to county juvenile boards. (27-0) (27-0)

S.B. 1174 (Harris) Relating to the reserve requirements for State banks. (27-0) (27-0)

S.B. 1175 (Harris) Relating to the time of filing and publishing call reports of State banks. (27-0) (27-0)

S.B. 1176 (Harris) Relating to the qualifications of the Banking Commissioner. (27-0) (27-0)

S.B. 1186 (Glasgow) Relating to duties of directors of a State bank. (27-0) (27-0)